IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF NORTH CAROLINA ASHEVILLE DIVISION CRIMINAL CASE NO. 1:16-cr-00046-MR-DLH

UNITED STATES OF AMERICA,)	
Plaintiff,)	
vs.)	ORDER
DOUGLAS AARON HOLCOMB,)	
Defendant.)	

THIS MATTER is before the Court on the Defendant's Unopposed Motion to Continue [Doc. 12].

On April 5, 2016, the Defendant was charged in Bill of Indictment with possession of a firearm while being a fugitive from justice and an unlawful user of a controlled substance in violation of 18 U.S.C. §§ 922(g)(2) and 922(g)(3). [Doc. 1]. The Defendant's initial appearance was held on April 22, 2016, at which time counsel was appointed. The Defendant was arraigned on April 27, 2016, at which time the Defendant's trial was scheduled to its present setting during June 20, 2016 trial term.

On June 3, 2016, the Defendant filed the instant motion to continue his case. [Doc. 12]. For grounds, Defendant states that the Defendant has pending state charges in addition to his federal charges, and that additional time is needed to consider and resolve all outstanding matters. Defendant

further states that this is his first Motion to Continue, and that the Government does not oppose the requested continuance. [Id.]

The Court finds that this case should be continued. As noted above, this is the Defendant's first request to continue and additional time is needed to investigate resolve all of the Defendant's pending charges. If the requested continuance were not granted, the Court finds that counsel would be denied "the reasonable time necessary for effective preparation, taking into account the exercise of due diligence." 18 U.S.C. § 3161(h)(7)(B)(iv). Additionally, without the requested continuance, counsel would not have the ability to engage in meaningful plea negotiations, which would result in a miscarriage of justice. See 18 U.S.C. § 3161(h)(7)(B)(i).

For the reasons stated herein, the ends of justice served by the granting of the continuance outweigh the best interests of the public and the Defendant in a speedy trial. See 18 U.S.C. § 3161(h)(7)(A).

IT IS, THEREFORE, ORDERED that Defendant's Unopposed Motion to Continue [Doc. 12] is **GRANTED**, and the above-referenced Defendant is hereby **CONTINUED** from the June 20, 2016 term in the Asheville Division.

IT IS SO ORDERED.

Signed: June 7, 2016

Martin Reidinger
United States District Judge

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